

110TH CONGRESS  
1ST SESSION

# H. R. 4274

To amend title 38, United States Code, to provide for the payment of a monthly stipend to the surviving parents (known as “Gold Star parents”) of members of the Armed Forces who die during a period of war.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

Mr. WALSH of New York introduced the following bill; which was referred to the Committee on Veterans’ Affairs

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## A BILL

To amend title 38, United States Code, to provide for the payment of a monthly stipend to the surviving parents (known as “Gold Star parents”) of members of the Armed Forces who die during a period of war.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Gold Star Parents An-

5       nuity Act of 2007”.

6       **SEC. 2. SPECIAL PENSION FOR GOLD STAR PARENTS.**

7       (a) SPECIAL PENSION.—

1           (1) IN GENERAL.—Chapter 15 of title 38,  
2       United States Code, is amended by adding at the  
3       end the following new subchapter:

4       “SUBCHAPTER V—SPECIAL PENSION FOR GOLD  
5                               STAR PARENTS

6       “§ 1571. **Gold Star parents**

7           “(a) MONTHLY PAYMENT.—The Secretary shall pay  
8       monthly to each person who has received a gold star lapel  
9       button under section 1126 of title 10 as a parent of a  
10      person who died in a manner described in subsection (a)  
11      of that section a special pension in an amount determined  
12      under subsection (b).

13          “(b) AMOUNT.—The amount of special pension pay-  
14      able under this section with respect to the death of any  
15      person shall be \$125 per month. In any case in which  
16      there is more than one parent eligible for special pension  
17      under this section with respect to the death of a person,  
18      the Secretary shall divide the payment equally among  
19      those eligible parents.

20          “(c) RELATIONSHIP TO OTHER LAWS.—The receipt  
21      of special pension under this section shall not deprive any  
22      person of any other pension or other benefit, right, or  
23      privilege to which such person is or may hereafter be enti-  
24      tled under any existing or subsequent law. Special pension

1 under this section shall be paid in addition to all other  
2 payments under laws of the United States.

3 “(d) TREATMENT OF SPECIAL PENSION.—Special  
4 pension under this section shall not be subject to any at-  
5 tachment, execution, levy, tax lien, or detention under any  
6 process whatsoever.

7 “(e) DEFINITION OF PARENT.—For purposes of this  
8 section, the term ‘parent’ has the meaning provided in sec-  
9 tion 1126(d)(2) of title 10.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-  
11 tions at the beginning of chapter 15 of such title is  
12 amended by adding at the end the following:

“SUBCHAPTER V—SPECIAL PENSION FOR GOLD STAR PARENTS

“1571. Gold Star parents.”.

13 (b) EFFECTIVE DATE.—

14 (1) IN GENERAL.—Section 1571 of title 38,  
15 United States Code, as added by subsection (a),  
16 shall take effect on October 1, 2007, and apply with  
17 respect to deaths occurring on or after that date.

18 (2) RETROACTIVE PAYMENTS.—Not later than  
19 90 days after the date of the enactment of this Act,  
20 the Secretary of Veterans Affairs shall pay to any  
21 person who is entitled to a pension under that sec-  
22 tion by reason of the death of an individual during  
23 the period beginning October 1, 2007, and ending on  
24 the date of the enactment of this Act, an amount

- 1 equal to the total amount of pension to which that
- 2 person is entitled under that section for that period.

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